

## FRATERNAL MEETINGS

**HAWAIIAN LODGE, NO. 21**  
F. & A. M.

THERE WILL BE A SPECIAL Meeting of Hawaiian Lodge No. 21, F. & A. M., at its hall, Masonic Temple, corner of Hotel and Alakea streets, THIS (Friday) EVENING, August 4, 1905, at 7:30 o'clock.

WORK IN THIRD DEGREE.  
Members of Pacific Lodge, Lodge 16, and all visiting brethren, are cordially invited to attend.  
By order of the W. M.  
K. R. G. WALLACE, Secretary.

**POLYNESIAN ENCAMPMENT**  
NO. 1, I. O. O. F.

Meets every first and third FRIDAY of the month at 7:30 p. m., in Odd Fellows' Hall, Fort Street.  
Visiting brothers cordially invited to attend.  
F. M. McGREW, C.P.  
L. L. LA PIERRE, Scribe.

**EXCELSIOR LODGE NO. 1, I. O. O. F.**

Meets every TUESDAY evening at 8:00, in Odd Fellows' Hall, Fort Street.  
Visiting brothers cordially invited to attend.  
F. G. NOYES, N. G.  
L. L. LA PIERRE, Secretary.

**PACIFIC REBEKAH LODGE, NO. 1, I. O. O. F.**

Meets every second and fourth THURSDAY, at 7:30 p. m., Odd Fellows' Hall, Fort Street.  
Visiting Rebekahs are cordially invited to attend.  
LILLIE DUNN, N.G.  
JENNY JACOBSON, Sec'y.

**HAWAIIAN TRIBE NO. 1, I. O. R. M.**

Meets every second and fourth THURSDAY of each month, in I. O. R. M. Hall.  
Visiting brothers cordially invited to attend.  
T. F. McTIGHE, Sachem,  
E. V. TODD, C.R.

**WILLIAM M'KINLEY LODGE, NO. 8, K. of P.**

Meets every SATURDAY evening at 8:00 p. m., in Harmony Hall, King Street.  
Visiting brothers cordially invited to attend.  
EDWIN FARMER, C.C.,  
E. A. JACOBSON, K. of R. & S.

**MONOLULU TEMPLE NO. 1, RATHBONE SISTERS.**

Meets every 2nd and 4th Monday, at 8:00, in Pythian's Hall, King Street.  
All visitors cordially invited to attend.  
IDA TURNER, M.E.C.,  
GRACE O'BRIEN, M. of R.A.C.

**LODGE LE PROGRES DE L'OCEANIE**

Meets the last Monday in each month, at 7:30 o'clock, in Masonic Temple, corner Alakea and Hotel streets. Visiting Masons cordially invited to attend.  
F. WALDRON, Secretary.  
R. G. BOCKUS, W.M.

**HONOLULU LODGE 616, B. P. O. E.**

Honolulu Lodge No. 616, B. P. O. E., will meet in their hall, on Miller and Betanania streets, every Friday evening.  
By order of the E. R.  
HARRY H. SIMPSON, Secretary.  
GEO. H. ANGUS, E.M.

**COURT CAMOES, NO. 8110, A. O. F.**

Meets every 2nd and 4th Tuesday of each month at 7:30 p. m., in San Antonio Hall, Vineyard street.  
Visiting brothers cordially invited to attend.  
A. O. ROSA, C.R.,  
M. C. CACHECO, F.C.

**MONOLULU AERIE 140 F. O. E.**

Meets on the 2nd and 4th WEDNESDAY evenings of each month at 7:30 o'clock in K. of P. Hall, King street.  
Visiting Eagles are invited to attend.  
M. ROSENBERG, W.P.  
H. T. MOORE, W. Secty.

**THEODORE ROOSEVELT, Camp No. 1, U. S. W. V.**

Department Hawaii.  
Meets every first and third WEDNESDAY at Waverley Hall.  
Visiting comrades cordially invited to attend.  
PAUL SMITH, Cmdr.,  
R. H. LONG, Adjutant.

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# KELLETT'S BONDSMEN HAVE BEEN DISCOVERED

**The Trustee's Father and Attorney Robertson--  
Judge De Bolt Curtails Clerk's Extras--  
History of Barete Estate Matter.**

No thanks to the archives in the Judiciary vaults excepting the furnishing of a date, but through a newspaper report of December, 1900, the missing personalities of P. D. Kellett, Jr.'s, sureties on his bond as trustee of the Barete estate have been discovered. P. D. Kellett, father of the trustee, and A. G. M. Robertson, attorney, are the sureties. The bond itself is still missing.

Judge De Bolt, who anticipated Kellett's resignation by dismissing him on becoming certain of infidelity to his trust in the Barete matter, yesterday gave out the following note to the reporters: "Judge De Bolt deems it fair to notify applicants for the vacant clerkship that he will not hereafter appoint any clerk of this court to any position other than that of master."

The three circuit judges of the First Circuit have also notified Henry Smith, Clerk of the Judiciary, that hereafter bonds of any of the clerks must be kept in his safe and not filed in the vaults with the records of cases. Judges Lindsay and Robinson do not concur in the First Judge's announced policy of curtailing the opportunities of the clerks for making something extra in commissions and fees.

There would seem to be room for improved methods of taking care of even ordinary court records. An Advertiser reporter, detailed yesterday to give a condensed history of the Barete estate matter, discovered some breaks in the continuity of the record as contained in filed documents. Those of importance are noted in the appended result of the task mentioned.

Here an incident may be related which will emphasize the suggestion just made. One day not long ago, when several searchers of title had been busy, an Advertiser reporter at the noon hour picked up a document from the floor beneath the window sill in the public area outside of the counter in the clerk's main office. It proved to be part of the record of a very old probate case, and without doubt an important link in a title claim. Had it not been accidentally found, the paper might have forever disappeared.

Following is the condensed history of the Barete case from the court files. It might perhaps have been enlarged from research in the court record books, but it contains the main features of all the proceedings in the case:

**PROBATE OF WILL.**  
Petition for probate of will, addressed to Hon. A. W. Carter, first judge, by Richard Antone, under date of Honolulu, July 26, 1897, acknowledged before N. Fernandez, notary public. The probate value and character of the estate is given as: Real estate, three pieces of land at Kalihi, Honolulu, valued at \$3000, and personal estate consisting of ten head of cattle, two horses, three wagons and household furniture, all valued at \$200. It is stated that deceased left a widow and as heirs at law and next of kin nine persons, all named Barete except Agnes Soares and all residing at Honolulu except Julio Barete and Rosaria Barete residing at Molokai. Ages are not given, which is contrary to the usual form.

In the will Agnes Soares, Rosaria Barete, Maria Barete, Julio Barete, Francisca Barete, Emelia Barete, Jose Barete, Theoff Barete, Lutello Barete, and Manuel Barete are named as devisees and Richard Antone as executor. George Lucas, clerk, on July 26, 1897, signs an order for hearing of petition on August 27. P. D. Kellett, Jr., on August 24 makes affidavit of publication of notice in the Hawaiian Gazette. Judge Perry calls up the petition on August 27. A. G. Correa appears for petitioner. All parties in interest are called in open court, no answer made. On motion of Correa the cause is continued until August 30. Before Judge Perry on that date Correa, the petitioner and the widow are in court. Correa calls four witnesses and the court admits the will to probate and appoints Richard Antone executor to serve without bonds. Kellett on the same date notes "Letters issued by G. Lucas."

of sale as prayed, sale on Monday, April 10, 1899. Richard gives a sale bond in \$3000 with A. J. Lopes as surety, which Judge Perry approves. Richard, on April 15 makes report of sale, G. J. Waller, on behalf of Metropolitan Meat Co., being the purchaser for \$4000 cash. James F. Morgan, auctioneer, attests the facts. Judge Perry on April 19 made an order confirming the sale.

**DISCHARGE OF EXECUTOR.**  
Antonio Richard, on August 14, 1900, files petition for allowance of his accounts and discharge as executor of the will of M. A. Barete, deceased, to which office petitioner was appointed on August 30, 1897. (It will be observed that the name of the executor is reversed from the way it appeared on his appointment, which was "Richard Antone.") He signs his petition for discharge "A. Richard."

The accounts, signed Richard Antone, shows receipts of \$4668.50 and expenditures of \$2232.65, leaving a balance of \$2435.85.

George Lucas, clerk, on August 16 gives notice of hearing of petition for discharge on September 24. Kellett on September 4 makes affidavit of publication in the Hawaiian Gazette, and on September 24 similar affidavit relating to the Gazette and Kuokoa.

C. C. Bittling, master, in an undated report on the executor's account, finds a discrepancy of \$19 in the amount the executor credits himself for taxes, the voucher being for \$31 and the credit for \$100, and with another error finds that the executor has asked for credit of \$27.75 more than that to which he appears to be entitled from the vouchers. He further finds that the total assets of the estate reduced to cash foot up \$4668.50 and the costs of administration to \$633.40, a little over 14 per cent. of the gross assets.

Judge Humphreys by P. D. Kellett, Jr., clerk, on December 12, 1900, summons Agnes Soares and Antone Richard as witnesses in the matter of the petition. "A. Richard to bring with him certain lease from M. A. Barete to A. J. Lopes."

**HIATUS IN RECORD.**  
There is no record on the files of the discharge of the executor beyond that of the foregoing preliminaries.

**ALLOWANCE TO WIDOW.**  
Maria Barete, on May 22, 1899, petitions for an allowance of \$1000 for maintenance of herself and nine children, payment of taxes, repairs, etc., to be paid at the rate of \$20 a month. She says the executor has paid all the debts and has in his hands about \$3000. Judge Stanley continues the hearing of petition on May 29, and on June 6 Judge Perry grants the allowance of \$20 a month. Cecil Brown for petitioner.

**KELLETT'S BONDSMEN.**  
Maria Barete, on December 11, 1900, petitions Judge Humphreys for an order to P. D. Kellett, trustee, to pay her \$30 a month out of funds remaining in the estate for maintenance of herself and family. An unsigned memorandum to the petition says, "Application denied by the court this 17th day of December, 1900."

The recognition of Kellett as trustee in the widow's petition appears premature upon a comparison of the date with that of his appointment noted below. It has been stated, however, since his defalcation was discovered, that Kellett was at first appointed as trustee without bonds by Judge Humphreys. Anyhow, as clerk of court he would have been trustee ex officio of funds there deposited.

Upon the verbal application of Maria Barete, widow, Cecil Brown appearing for her, "praying that some suitable person be appointed trustee under the last will and testament of said Manuel Antonio Barete," and "there being no appearance by any one in opposition thereto," Judge Humphreys on December 17, 1900, appointed P. D. Kellett, Jr., as such trustee, ordering that as such trustee "the said P. D. Kellett, Jr., file with the clerk of the court a good and sufficient bond in the sum of thirty-five hundred (\$3500) dollars for the faithful execution of said trust, said bond to be approved by the court."

tament of the late Manuel A. Barete, deceased."

**LONG DELAYED REPORT.**  
Under proceedings taken by W. C. Achi, attorney for certain of the heirs, Kellett on July 19, 1905, filed in court (before Judge Robinson) a report covering a period of four years, six months and fifteen days. In it the trustee charges himself with \$8874.67, of which \$2825.19 represents income. He asks to be allowed \$6293.90 disbursements. M. T. Simonton as master, on Judge Robinson's reference, reports, July 29, upon the account. The master finds short-ages in income amounting to \$258.35; also receipts for taxes and insurance from a tenant, which the trustee had not applied to their respective purposes; also a failure to account at all for the principal of a certain loan of \$1200; also a crediting himself with taxes of over \$800 and insurance premiums of \$90 which he had never paid; also with having violated the provisions of the trust with respect to payments of income to the beneficiaries of the will; also with failure to invest \$2438.58 in hand for more than seven months. With regard to this last matter, the master reported that the trustee had failed to exhibit his bank deposit book.

**SUSPENDED AND ARRESTED.**  
In the meantime Judge Robinson, having been apprised that the trustee's accounts were not straight, suspended the trustee. Then, upon the failure of Kellett to obey a command of Judge De Bolt, whose clerk he was, he was brought to the sheriff's office for investigation and, after admitting more than even the master's report charged, a warrant of arrest sworn to by Sheriff Brown was served on him. He is now at large under \$2500 bail to appear for preliminary examination before Judge Robinson on a charge of embezzlement.

Among the facts revealed by the investigation it is known that the \$2438.58 for which Kellett received nearly five years ago has entirely disappeared, with the exception of perhaps three dollars, and none of it has reached the widow and children. Other discoveries have been made, but they do not pertain to the Barete estate.

**TO SELL PROPERTY.**  
Henry Waterhouse Trust Co., Ltd., administrator, petitions for leave to sell real estate in the estate of the late W. H. Cornwell. The estate is indebted in a sum of \$40,000 and, besides the personal property incidental to the ranch business that the will directs shall be carried on for five years after the testator's death, there is no personal property with which to pay debts. It is a piece of land containing 2.32 acres which it is desired to sell, and an offer of \$75 made therefor by Wailuku Sugar Co. is said to be a fair one for the property. Consents of the devisees to the sale are filed.

**NO NEED OF DOCTOR.**  
Pains in the stomach and attacks of colic come on suddenly and are so extremely painful that immediate relief must be obtained. There is no necessity of seeing for a doctor in such cases if a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy is at hand. No doctor can prescribe a better medicine. For sale by Benson, Smith & Co., Ltd., Agents for Hawaii.

**10 LOTS KAIMUKI**  
BEAUTIFUL VIEW.  
\$125 Each!

Make application.  
Just the thing for summer cottage.

**JAS. F. MORGAN, AUCTIONEER.**

**Auction Sale**  
Monday, August 7, 1905,  
AT 10 O'CLOCK A. M.,  
JUST ARRIVED FROM CHINA.

1 Dragon Embroidered Canton Linen Table Set,  
12 Napkins to match,  
will be sold at the Fern Sale, corner of King and Alakea streets.

**SOMETHING CHOICE.**

**JAS. F. MORGAN, AUCTIONEER.**

**Auction Sale**  
Monday, August 7, 1905,  
AT 10 O'CLOCK A. M.,  
Corner King and Alakea Streets.

To CONNOISSEURS OF CHOICE FERNS, ETC., I will sell:

**MAIDENHAIR FERNS**, comprising  
Adiantum Charlottae,  
Adiantum Grandiceps,  
Adiantum Variegatum,  
Adiantum Wiegandii,  
Adiantum St. Catharinae,  
Pteris Cretica, also Lineata,  
Pteris Argylea,  
Cytidium Fortunei (Holy fern);  
Fine Lace Maidenhair,  
Double Lace Maidenhair,  
5 Pots Plumose Asparagus,  
4 Pots (only new) Umbrella Ferns,  
44 Pots Fancy Imported Caladiums,  
35 Pots Fancy Rex Begonias,  
Hanging Baskets,  
Fern Root Pots,  
1 Elephant Ear,  
4 Pots Fine Moss.

**JAS. F. MORGAN, AUCTIONEER.**

**JAS. F. MORGAN**  
Auctioneer, Etc.  
SALESROOMS  
847-857 Kaahumanu St.

**Auction Sales**  
FOR WEEK ENDING.  
Saturday, Aug. 12, 1905

MONDAY—Ferns, etc., corner Alakea and King streets.  
MONDAY—Grass Linens, etc., Alakea and King streets.  
TUESDAY—At salesroom, 847 Kaahumanu street.  
WEDNESDAY—Furniture, 1524 Pensacola street.  
THURSDAY—Furniture, 1654 Young street.  
FRIDAY—Salesroom, 847 Kaahumanu street.  
SATURDAY—Stocks, bonds, land, 857 Kaahumanu street.

**JAS. F. MORGAN, AUCTIONEER.**

**THIS DAY**  
**Auction Sale**

Friday, August 4, 1905,  
AT 10 O'CLOCK A. M.,

At my salesroom, 847 Kaahumanu street, contents of Chinese store, consisting of  
Chinese Drugs, Plow Shoes, Shirts, Hats, Pants, Woolen Pants goods, Leggings, Bed Comforts, Harness, Brides, Washpans, Grass Knives, Lamps, Baking Powder, Herring, Dungaree Shirts, Hatchets, Chinese Jackets, Rattan Chairs, Brooks Cottons, Japanese Lacquered Boxes, 9 Tins (50lbs. each) Lard, Crockery, Counter Scale, Tailors' SINGER SEWING MACHINE, Canned Goods, Brushes, Soap, Etc., Etc.

**JAS. F. MORGAN, AUCTIONEER.**

**THIS DAY!**  
**Auction Sale**

Friday, August 4, 1905,  
AT 10 O'CLOCK A. M.

At my salesroom, 847 Kaahumanu street,

**Regular Friday Sale**

—OF—  
**Furniture,**  
ETC., ETC., ETC.

**JAS. F. MORGAN, AUCTIONEER.**

**Auction Sale**  
Wednesday, August 9, 1905,  
AT 10 O'CLOCK A. M.,

At the residence of H. W. Schmidt, 1524 Pensacola street, the balance of German hand-made furniture, consisting of

Sofa, Table and Picture, Cabinets, Escrutoires, Library Tables, Bookcases, Pedestals, Bronzes, Parlor Tables, French Walnut Tables, Buffets, Magolica Jardinieres, Elegant German Oak Cathedral Sideboard,  
Leather Upholstered Dining Chairs, Large Extension Dining Table, Walnut Bed, very heavy;  
Hair Mattresses, Bureaus, Mirrors, Wardrobes, Writing Desks, Chinese Flowerstands, Refrigerator, Glassware, Meat Safe, Stove, Etc., Etc.

**JAS. F. MORGAN, AUCTIONEER.**

**Auction Sale**  
Thursday, August 10, 1905,  
AT 10 O'CLOCK A. M.,

At residence of Mr. J. T. Campbell, head of Elsie avenue, on Young street No. 1654. Take King street car to nearly the junction of King street and Punahou cars.

**Household Furniture!**

NEAT—NEW—NATTY.  
Choice Rugs, Elegant Curtains, Handsome Rockers, Neat Chairs, Pretty Oak Tables, Box Lounges, Iron and Brass Bedsteads, Oak Bureaus,  
Washstands, Mirrors, Curtains, Blinds, Mosquito Nets,  
VERY FINE KITCHEN RANGE, LARGE DOUBLE DOOR REFRIGERATOR,  
HEAVY OAK DINING ROUND TABLE,  
SINGER SEWING MACHINE, only three months old;  
Glass Rugs, Dinner Set, Crockery, Glassware, Plants, Etc., Etc.  
All new goods, bright and clean.

**JAS. F. MORGAN, AUCTIONEER.**

**Castle & Cooke, Ltd.**  
HONOLULU.

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**SUGAR FACTORS.**

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The Ewa Plantation Co.  
The Wailua Agricultural Co., Ltd.  
The Kohala Sugar Co.  
The Waima Sugar Mill Co.  
The Fulton Iron Works, St. Louis.  
The Standard Oil Co.  
The George F. Blake Steam Pump & Weston's Centrifugals.  
The New England Mutual Life Insurance Co., of Boston.  
The Aetna Insurance Co., of Hartford, Conn.  
The Alliance Assurance Co., of London.

**F. L. FERGUSON, D. D. S.**

**SPECIAL ATTENTION.**  
We challenge your attention to our office hours. We are here every day, from eight to five, except Sundays. If your only leisure is on Sunday, we will gladly make an appointment with you for that day, between nine and twelve.  
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Machinery, Black Pipe, Galvanized Pipe, Boiler Tubes, Iron and Steel, Engineers' Supplies.  
Office—Nuuanu street.  
Works—Kakaako.

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WHOLESALE AND RETAIL LIQUOR DEALERS.

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**EXCELLENT FLOUR**

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IMPORTERS AND DEALERS IN BUILDING MATERIALS: DOORS, SASH, SHINGLES. Builders Hardware at lowest rates. Alakea street, mauka Sailors' Home.

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ENGINEERS AND GENERAL CONTRACTORS.  
Plans and Estimates furnished for all classes of Contracting Work.  
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Boquet Cigars  
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Contractor for Stone and Cement work on all kinds of buildings. Firewood and second-hand lumber for sale. Nuuanu Corner Betanania.  
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135 Merchant Street.

MACHINERY BOUGHT, SOLD AND REPAIRED.  
ENGINEER'S AND BUILDER'S SUPPLIES.  
BLACKSMITHING.

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**GENERAL ARTHUR CIGARS**  
**GUNST-EAKIN CIGAR CO.**  
Distributors.

NEW AND FRESH MILLINERY JUST OPENED AT

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MILLINERY PARLORS,  
162 Hotel Street, Opposite Young Hotel.